IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

WP(C).No. 26776 of 2007(K)

PETITIONERS:

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1. RAMAKRISHNAN A.N., AGED 65 YEARS,
S/O. NARAYANAN, ANAKKATHIL VEETTIL HOUSE,
KAIPAMANGALAM VILLAGE, DESOM,KODUNGALLUR TALUK,
THRISSUR DISTRICT.

2. SHEEBA, W/O. SAJEEVAN,
ERAKKAL VEETTIL HOUSE, KAIPAMANGALAM VILLAGE AND
DESOM, KODUNGALLUR TALUK.

BY ADV. SRI.V.M.KRISHNAKUMAR

RESPONDENTS:

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1. THE ARBITRATOR-CUM-SPECIAL SALE OFFICER,
KERALA STATE HOUSING FEDERATION, KALOOR,
ERNAKULAM, KOCHI-17.

2. NATTIKA FURKE HOUSING CO-OPERATIVE
SOCIETY LTD. R.346, REPRESENTED BY ITS SECRETARY,
EDAMUTTAM P.O., THRISSUR DISTRICT.

BY ADV. SRI.N.RAGHURAJ
SMT.K.AMMINIKUTTY
GOVERNMENT PLEADER (SMT. ANU SIVARAMAN)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C). NO. 26776 OF 2007 K

PETITIONERS' EXHIBITS:

EXT.P1 TRUE COPY OF THE PASS BOOK ISSUED BY THE 2ND RESPONDENT TO THE 1ST PETITIONER.

EXT.P2 TRUE COPY OF THE PASS BOOK ISSUED BY THE SECOND RESPONDENT.

EXT.P3 TRUE COPY OF NOTICE ISSUED BY THE 1ST RESPONDENT TO THE FIRST PETITIONER.

EXT.P4 TRUE COPY OF NOTICE ISSUED BY THE 1ST RESPONDENT TO THE SECOND PETITIONER.

RESPONDENTS' EXHIBITS: NIL.

// TRUE COPY //

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 26776 OF 2007 K

Dated this the 19th October, 2007

JUDGMENT

Petitioners availed loans. They were not repaid. Heard the learned counsel for the respondent Society also. Learned counsel for the petitioners submits that the petitioners may be permitted to pay off the amounts in ten equal monthly instalments. Having regard to all facts, petitioners are permitted to pay off the amounts remaining due with interest in eight equal monthly instalments. The respondent Society will serve a Statement on the petitioners showing the exact amounts remaining to be paid with interest, and also the exact amounts of instalments on the basis that the petitioners have to pay the amounts remaining to be paid with interest in eight equal monthly instalments, within two weeks from today. The first instalments shall be payable on or before 4.11.2007 and the remaining instalments on or before the 4th of every succeeding month. If any of the instalments is defaulted, the petitioners will

lose the benefit of this Judgment and it will be open to the respondent Society to proceed against the petitioners in accordance with law.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

kbk.